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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,763	02/21/2002	Jonathan A. Eppstein	19141.0016U2	4362
22850	7590 10/14/2005		EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			MARMOR II, CHARLES ALAN	
	ALEXANDRIA, VA 22314		ART UNIT	PAPER NUMBER
	,		3736	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensives of time may be separated used the provision of 37 CPR 1.130(). In no event, however, way a reply be timely filled. If NO period for reply is appeciated above, the maximum statutory printed will apply and will expire SIX (5) MONTHS from the mailing date of this communication. Falluls to reply within the soft or extended period for rejety in specially active the provision of the mailing date of this communication. Falluls to reply within the soft or extended period for rejety in specially active the application of the communication, even if smelly filled, may reduce any exemer plants that malphasment. Set 37 CPR 1.74(4). Status 1) Responsive to communication (s) filled on 18 July 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 32.51,64.68.69.71-73.78.79 and 81-83 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 32.51,64.68.69.71-73.78.79 and 81-83 is/are allowed, except for flat consideration is infered by the examiner. Claim(s) is/are objected to. 3) In the drawing(s) filled on is/are rejected. The drawing(s) filled on is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All by Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All by Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All by			XP			
## Examiner Art Unit 3736 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extraction of time may be analized under the provisions of 37 CPR 1.35(b). In or event, novewer, may a reply be timely field in 11 to period for reply supported by the maintain elatory period will apply and we supplied. MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period to reply will, by stanking cause the application to become absNIOCHED (39 U.S.C.§ 173). Arm trop' processed by the fiftee that the new individually extended period of reply will. by stanking cause the application to become absNIOCHED (39 U.S.C.§ 173). Arm trop' processed by the fiftee that the new individually extended period of reply will. by stanking cause the application to communication. - Failure to reply within the set or extended period for reply will, by stanking cause the application to become absNIOCHED (39 U.S.C.§ 173). Arm trop' processed by the fiftee that prevention to reply will be active placed to the stanking and the processed of the communication. - Failure to reply within the set or settlement to reply will be active placed by the processed of the communication. - Failure to reply within the set or settlement to reply will be set or settlement to reply will be reply and the processed of the reply field. - Failure to reply within the set or settlement to reply will be reply and the communication. - Failure to reply within the set or settlement to reply will be placed to the maintenance of the reply field on the maintenance of the reply field on the maintenance of the reply field on the reply field on the maintenance of the reply field on the reply f		Application No.	Applicant(s)			
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a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Priority under 35 U.S.C. § 119					
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DETAILED ACTION

1. This Office Action is responsive to the Amendment filed July 18, 2005. The Examiner acknowledges the amendments to claims 69, 81 and 83, and the cancellation of claims 7, 8, 55-60, 63, 65-67, 70, 74-77 and 80. Claims 32, 51, 64, 68, 69, 71-73, 78, 79 and 81-83 are pending.

- 2. Claims 32, 51, 64, 68, 69, 71-73, 78, 79 and 81-83 are allowable over the prior art of record, except for the consideration of the interference issue.
- 3. This application is in condition for allowance except for the following formal matters:

 While the potential interference with USPN 6,063,039, USPN 6,071,251, USPN
 6,155,922, USPN 6,206,841 and USPN 6,283,926 remains relevant to prosecution of the instant application, Applicant is hereby advised that new rules (see 37 CFR § 41.202 41.208, effective 13 September 2004) govern interference proceedings.

Applicant's previous submissions including the First and Second Requests for Interference filed 15 April 2002 are noted. Applicant is requested to review their previous submissions and provide any additional submissions they deem necessary to conform with the new rules in response to this action [see in particular 37 CFR § 41.202 (a)(1)-(6) and 37 CFR § 41.202 (d)(1)-(2) and (e)(1)-(2)]. The Examiner notes that only claim 51, although amended, remains pending of the claims included in the original requests. At a minimum, Applicant must indicate where the previous filings meet the new rules; however, if additional submissions are

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necessary to meet some requirements of the new rules, it is preferable for Applicant to submit all of the required information in a single filing.

Applicant's attention is drawn to 37 CFR § 41.202(d)(1)-(2) and 37 CFR § 41.204. Submissions provided after the interference has been forwarded to the board may not be considered timely.

Prosecution on the merits is closed in accordance with the practice under Ex parte 4. Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the 5. examiner should be directed to Charles A. Marmor, II whose telephone number is (571) 272-4730. The examiner can normally be reached on M-TH (7:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571) 272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles A. Marmor, II
Primary Examiner
Art Unit 3736

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October 11, 2005